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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,884	01/12/2004	Yung-Sheng Lo	14166 B	1562
23595	7590	12/01/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			GABLER, PHILIP FRANCIS	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/755,884	Applicant(s) LO, YUNG-SHENG	
	Examiner Philip Gabler	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
Although listing a residence, it does not specify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code (or equivalent) designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

Claim Rejections - 35 USC § 112

2. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The word "vertical" on the third line of the claim is unclear and renders the claim indefinite. For the purposes of examination, the claim was read with the substitution of the word "perpendicular" for the word "vertical."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Greenberg (US Patent Number 3857343). Greenberg (Figures 1, 2, 4, and 5) discloses a folding table capable of supporting a notebook computer comprising: a main board (22) and (22a) through (22d); two foldable stands (14) and (16) each pivotally mounted on the main board; and locking units (18) and (20) for locking the two foldable stands when the two foldable stands are folded on the main board. Regarding claim 2, Greenberg further discloses a main board with first face (upper face of assembly 22) formed with a rectangular receiving recess (viewed as A in Exhibit 1) capable of receiving a notebook computer and a second face (bottom face of assembly 22) formed with a receiving space (B). Regarding claim 3, Greenberg further discloses each of the two foldable stands pivoted on the main board to be received in the receiving space of the main board (see Figures 2 and 5).

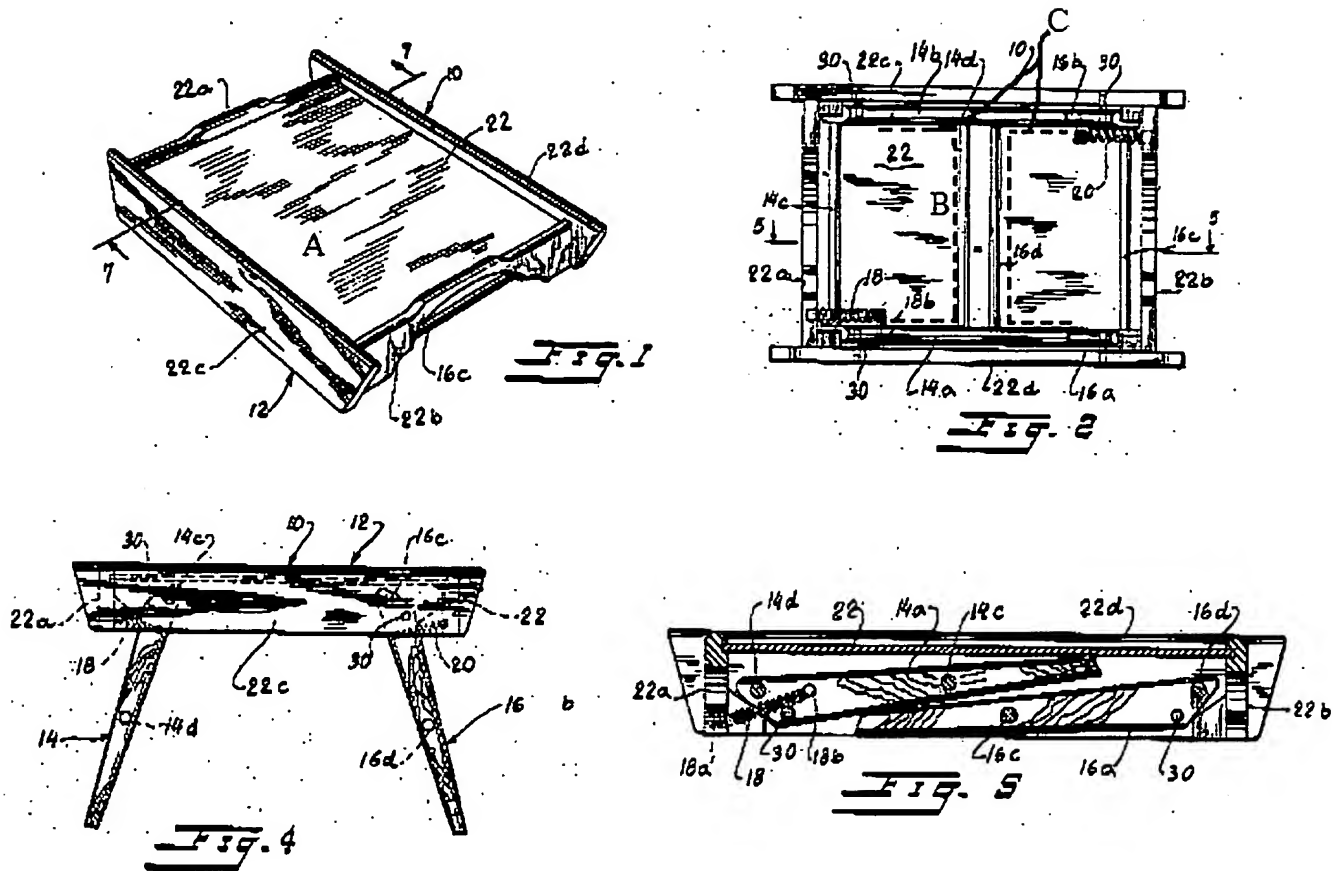
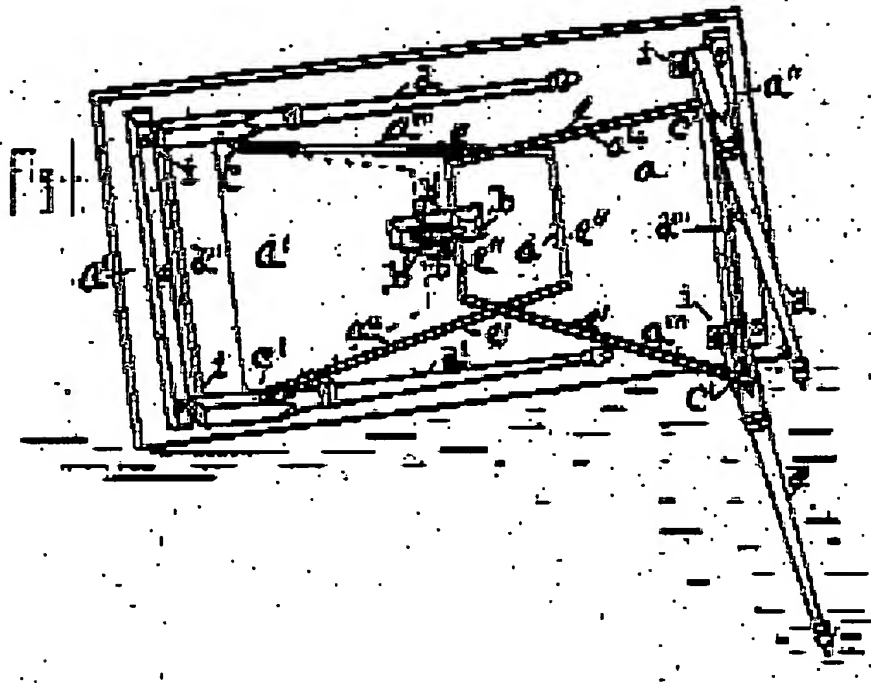


Exhibit 1: Greenberg '343 Figures 1, 2, 4, and 5

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by White (US Patent Number 376726). White (Figure 1) discloses a foldable table capable of supporting a notebook computer comprising: a main board (a); two foldable stands (d) each pivotally mounted on the main board; and a locking unit (b) for locking the two foldable stands when the stands are folded on the main board. The position of the stands necessary to engage the locking unit in this case is viewed as folded as there was no explanation of this position claimed.



White '726 Figure 1

Claim Rejections - 35 USC § 103

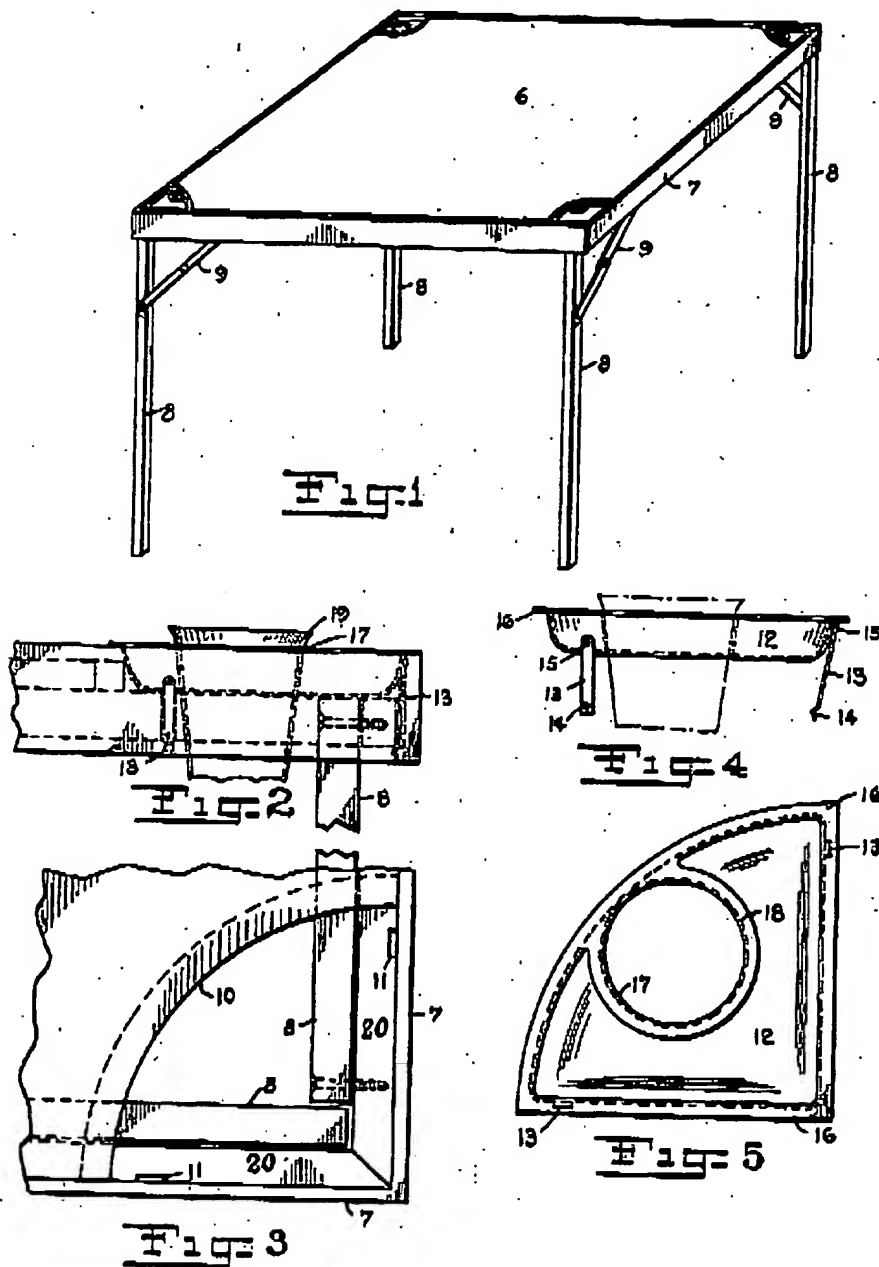
6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Greenberg in view of Latham et al. (US Patent Number 1959539). Greenberg discloses a table as recited in claim 1 but does not disclose a main board with four opposite through holes in the periphery. Latham (Figures 1-5) discloses a folding table having a main board (6) formed with four opposite through holes (17). Accordingly, it would have

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been obvious to one of ordinary skill in the art at the time the invention was made to modify Greenberg's table to include four opposite through holes as taught by Latham because this arrangement would allow for the mounting of accessory hardware.



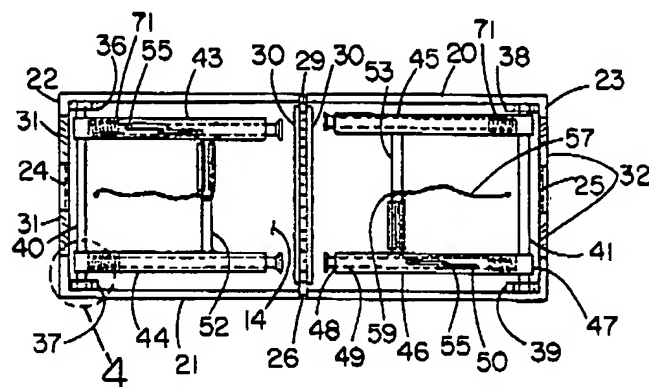
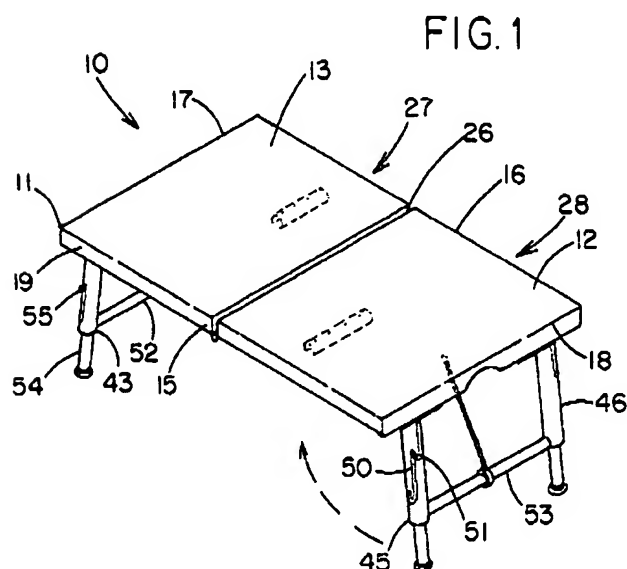
Latham et al. '539 Figures 1-5

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over White in view of Greenberg. White discloses a table as recited in claim 1 but does not disclose a receiving recess, a second face formed with a receiving space, or stands pivoted on the main board to be received in a receiving space. Greenberg discloses a main board with first face (upper face of assembly 22) formed with a rectangular receiving recess (viewed as A in Exhibit 1) capable of receiving a notebook computer and a second face (bottom face of assembly 22) formed with a receiving space (B). Regarding claim 3, Greenberg further discloses each of the two foldable stands pivoted on the main board to be received in the receiving space of the main board (see Figures 2 and 5). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White's table to be formed with a receiving recess on the first face and a receiving space to receive the foldable stands on the second face as taught by Greenberg because this arrangement would provide White's table with a secure and stable environment for objects placed on the first face as well as protecting the folding stands when they are in their folded position.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over White in view of Greenberg and further in view of Foulger (US Patent Number 6454357). White, when modified by Greenberg as described above, discloses a folding table as recited in claim 2 as well as a substantially U-shaped support frame (c), but does not disclose inner and outer tubes pivotally mounted on the main board. Foulger (Figures 1 and 2) discloses a folding footrest with two foldable stands, assemblies made up of (43)-(46) and (54), each including two opposite outer tubes (43)-(44) and (45)-(46) pivotally

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mounted on a main board and two opposite inner tubes (54) each retractably mounted on a respective one of the two outer tubes. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White's table, as previously modified by Greenberg, to include adjustable legs using inner and outer tubes as taught by Foulger because this arrangement would allow the height of White's table to be adjusted.



Foulger '357 Figures 1 and 2

10. Claims 5, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over White in view of Greenberg and Foulger and further in view of Gilmore (US Patent Number 1581485). White, when modified by Greenberg and Foulger as described above, discloses a folding table as recited in claim 4 including a locking unit (b) rotatably mounted on the main board, a substantially T-shaped rotation member rotatably

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mounted on the second face of the main board and having an end formed with two outward extending press bars each urged on the support frame of a respective one of the two foldable stands, but does not disclose a substantially T-shaped support pin or an elastic member. Gilmore discloses a latching unit including a substantially T-shaped support pin (C) secured to a frame (A), a substantially T-shaped rotation member (D) mounted to the frame via the pin and having an end formed with two outwardly extending bars (viewed as 1 in Exhibit 2), and an elastic member (D1) mounted on the support pin and urged between the support pin and the rotation member. Accordingly, it would have been obvious to one of ordinary skill in the art to modify White's locking unit on his table previously modified by Greenberg and Foulger to use a locking unit including a spring as taught by Gilmore because this arrangement would provide the locking unit of White with an additional degree of movement, i.e. able to pull outward in addition to the rotational movement, so as to enhance the effectiveness and ease of latching the stands to the main board. [Two distinct movements exhibited by the locking unit would yield a greater degree of clearance for maneuvering the stands.]

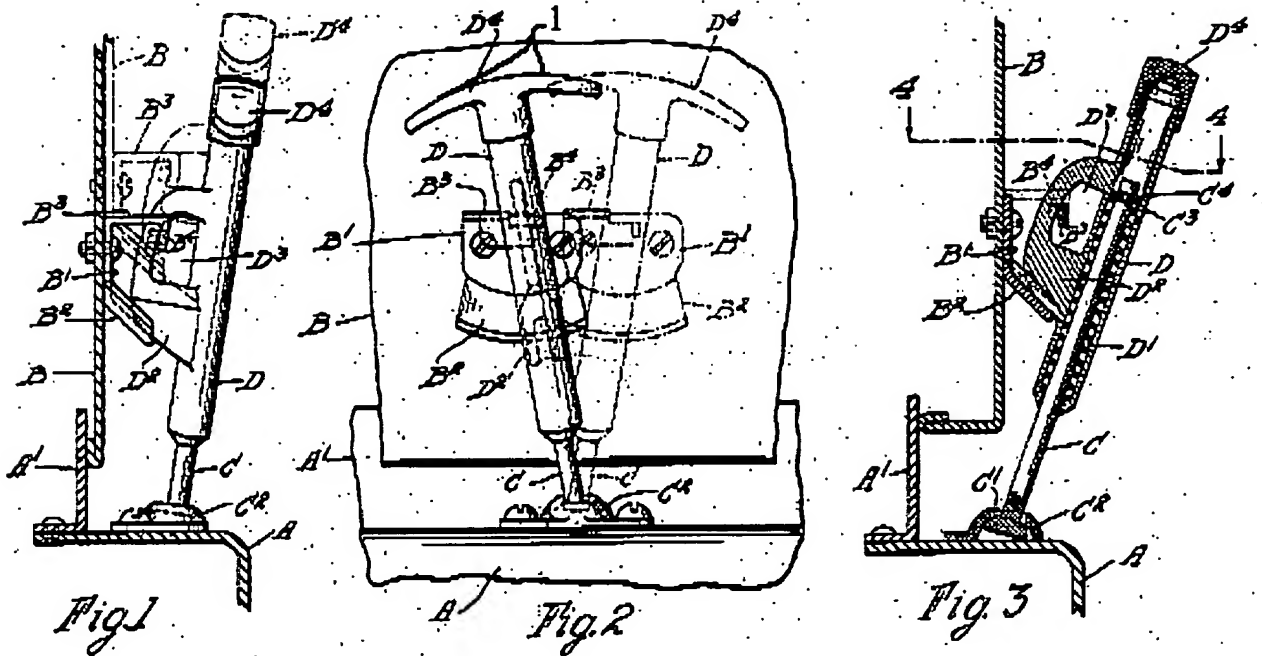


Exhibit 2: Gilmore '485 Figures 1, 2, and 3

11. Regarding claim 7, Gilmore further discloses a rotation member having an inside formed with a recess for receiving a support pin and an elastic member (see Figure 3).

Regarding claim 8, Gilmore further discloses an elastic member with a first end urged on an end of the support pin and a second end urged on the rotation member (see Figure 3 and lines 54-56).

12. Claims 6, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over White in view of Greenberg, Foulger, and Gilmore and further in view of Pucci (US Patent Number 2643926). White, when modified by Greenberg, Foulger, and Gilmore as described above, discloses a folding table as recited in claim 5, but does not disclose a locking groove in the support frame to receive the press bars of the rotation member.

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Pucci (Figures 3, 4, 8, and 9) discloses a folding table with a locking mechanism including a support frame (35) having a mediate portion (61) formed with a locking groove (viewed as A in Exhibit 3) adapted to accept a press bar (57) of the locking mechanism. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White's table, as previously modified by Greenberg, Foulger, and Gilmore, to include a locking groove in the support frame to accept the press bars of the rotation member as taught by Pucci because this would provide stability for the locking mechanism while in a locked position.

13. Regarding claims 9 and 10, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White's table, in light of the teachings of Gilmore and Pucci, to include for the locking unit a first position where the two press bars of the rotation member are parallel with the support frame of each of the two foldable stands to receive the foldable stands, and a second position where the two press bars are perpendicular to the support frame of each of the two foldable stands and each of the press bars of the rotation member is locked in the locking groove of the support frame of a respective one of the two foldable stands so that each of the stands is folded in a receiving space of the main board and fixed by the locking unit because this arrangement would provide for the most effective and efficient use of the locking unit.

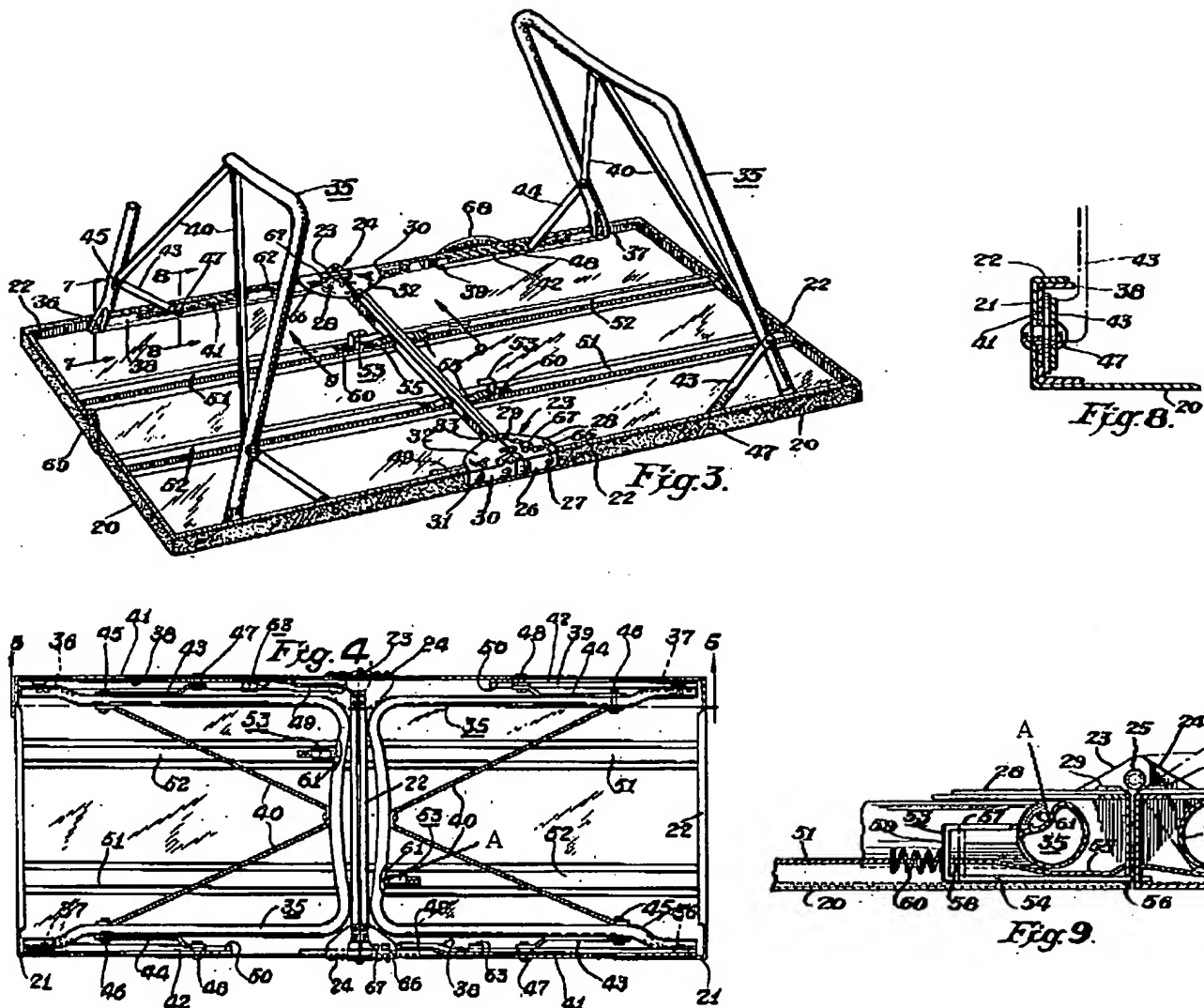


Exhibit 3: Pucci '926 Figures 3, 4, 8, and 9

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Emmert reference (US Patent Number 4191111) is cited for disclosing a table with folding and telescoping supports. The Bisp reference (US Patent


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Number 3026160) is cited for disclosing a table with folding legs and a means for locking the folded legs in place. The Jaramillo reference (US Patent Number 6439133) is cited for disclosing a table with folding and telescoping legs intended for use with laptop computers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PFG 
11/18/2005

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